

CUSTOMER NUMBER 27792

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Andrew Wilson Attorney Docket No: MICR0482
Serial No: 10/814,577 Group Art Unit: 2876
Filed: March 31, 2004 Examiner: Haupt, Kristy A.
Title: IDENTIFICATION OF OBJECT ON INTERACTIVE DISPLAY SURFACE BY
IDENTIFYING CODED PATTERN

ELECTION IN RESPONSE TO RESTRICTION REQUIREMENT

Bellevue, Washington 98004

August 2, 2006

TO THE DIRECTOR OF THE PATENT AND TRADEMARK OFFICE:

The following is in response to an Office Action mailed July 18, 2006, in which the Examiner issued a Restriction in the above-identified patent application. The Examiner asserts that the pending claims are directed to four patentably distinct species, each mutually exclusive of the requirements for all other species. The Examiner indicates that Claims 3, 13, and 26 (Species 1) include a radial code having a radial area. Claims 4, 15, and 28 (Species 2) include a variable length linear code having detectable area and predefined parallel strips of equal length and also having code portion disposed between the parallel strips. Claims 5, 16, and 29 (Species 3) include a variable bit length code having a cue component with a predefined dimension always being smaller than the variable length dimension and further having a code portion with a first binary element at a predefined offset from the cue component. Claims 6-8, 17-20, and 30-32 (Species 4) include a multi-level variable bit length code having a cue component detectable at a binarization threshold and a cue component with a variable length dimension that indicates a reference orientation and indicates an extent of the code portion that is detectable at a gray scale threshold. The Examiner notes that applicant is required to elect a single disclosed species for prosecution on the merits to which claims shall be restricted if no generic claim is finally held allowable, and list all claims readable thereon. The Examiner acknowledges that Claims 1-2, 9-12, 14, 21-25, and 27 are generic to all of the indicated species.

ELECTION

Claims 1-3, 9-14, and 21-27 are readable on Species 1. Accordingly, in response to this Restriction, **applicant hereby elects Species 1 and all generic claims, i.e., Claims 1-3, 9-14,**

1 **and 21-27**, for prosecution. Applicant reserves the right to file divisional application(s) directed
2 to any non-elected claims in this application. In addition, it is acknowledged that if any of the
3 generic claims are allowed, all non-elected species will be considered to remain in the
4 application.

5 Respectfully submitted,

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